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**REMARKS**

Applicant wishes to thank the Examiner for the detailed remarks the allowance of claim 22 and the allowability of claims 2 and 23. Claims 18-21 have been cancelled. Claims 27-28 are withdrawn pending allowance of the associated independent claims.

Claims 1, 3, 6, 7, 10-14, 17 and 24-26 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Palmer* (4,942,013) in view of *Dublinski* (5,071,338) and further in view of *Forster* (5,897,739). Applicant respectfully traverses these rejections as there is absolutely no teaching, suggestion, or motivation to modify *Palmer* in view of *Dublinski* and *Forster* as proposed.

The Examiner admits that "*Palmer* fails to teach the first ply having an elastomeric sheet rubber; the sieve member adjacent the elastomeric sheet rubber opposite the release film; the plys being a fluoroelastomer material, the first and second plys being unreinforced, the third and fourth plys including a fiber reinforced fluoroelastic material; and the release film being an FEP layer adjacent the first ply and opposite the second ply."

[See office action page 4, last paragraph]

The Examiner argues that

It would have been obvious to one having ordinary skill in the art at the time of the Applicant's invention to have modified the invention of *Palmer* with the second third and fourth plys being made of a fiber reinforced fluoroelastic sheet rubber material as taught by *Dublinski et al* and to have modified the first ply of release film of *Palmer* having a fiber unreinforced fluoroelastomer sheet rubber as taught by *Dublinski et al* because it provides a combination of stiffness/rigidity and flexibility and stretch and to have modified the first ply (having adjacent sieve) such that the release film is FEP release film as taught by *Forster et al* because FEP assists in the removing of a mold from cured composite.

[See office action page 5, paragraph 2, emphasis added.]

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The Examiner interprets that *Palmer* discloses a first ply having a release member (Fig 10A, #173 and col 12, lines 53-65) and a second ply (Fig 10A, #181) adjacent the second ply. [See Office Action, p. 4, 2<sup>nd</sup> full ¶.]

*Palmer* generally discloses impregnating dry fiber reinforcement, particularly carbon or graphite cloth, with a predetermined amount of resin, so as to impregnate such fiber reinforcement rapidly and uniformly throughout the fiber reinforcement.

More specifically, *Palmer* discloses:

Under pull of the vacuum in line 175, and with valve 191 open, liquid resin flows through the slotted resin inlet tube 171 and via the adjacent inner skin flanges 179, into and through the bleeder cloth 181, wire screen 177, porous separator 173, and through the upper carbon cloth skin 168 and into grooves 160 and 162 along the top, the inclined sides 197, and the bottom of the foam core 158. The liquid resin flows at the same time from the grooves in the bottom of the foam core into and through the lower carbon cloth skin 170. This results in uniform impregnation of both skins 168 and 170.

[See col. 13, lines 11-50; lines 26-26 reproduced above with emphasis added.]

That is, component #173 is a porous separator, and #181 is a bleeder cloth which permit a vacuum and thus the liquid resin to be drawn therethrough. It is improper to modify the base reference in such a way that it ruins the goal or function of the base reference. The Examiner's proposed modification would do so as converting components #173 and #181 to materials which are not permeable to either a vacuum or a liquid resin. That is, converting the first, second, third, and fourth plies to be a fiber reinforce fluoroelastic sheet rubber material and the first ply to a release film or fiber unreinforced fluoroelastomer sheet rubber<sup>1</sup> would render *Palmer* inoperable by preventing the resin impregnation therethrough. Such a suggestion is improper and the claims are properly allowable.

<sup>1</sup> It is unclear to Applicant whether the Examiner is interpreting the first ply of *Palmer et al* to be a fiber unreinforced fluoroelastomer sheet rubber as purportedly taught by *Dublinski et al* or to be an FEP release film as purportedly taught by *Forster et al*. [See Office Action p. 5, 2<sup>nd</sup> paragraph.]

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Furthermore, the Examiner attempts a combination which "modified the invention of *Palmer* with the second third and fourth plys being made of a fiber reinforced fluoroclastic sheet rubber material as taught by *Dublinski et al* and to have modified the first ply of release film of *Palmer* having a fiber unreinforced fluoroclastomer sheet rubber as taught by *Dublinski et al.*" There is no motivation in *Palmer* to make the particular plys out of these materials (reinforced and/or UNreinforced). The only motivation to make the combination as proposed is by following the knowledge disclosed within the present invention. This is impermissible usage of Hindsight in an attempt to re-create Applicant's device. Alternatively, or in addition to that discussed above, the claims are properly allowable.


Separately, the Examiner's purported motivation for the proposed combination: "because it provides a combination of stiffness/rigidity and flexibility and stretch and to have modified the first ply (having adjacent sieve) such that the release film is FEP release film as taught by Forster because FEP assists in the removing of a mold form cured composite" is, at best, impossible to substantiate and, at worst, unintelligible.

Claims 1, 3, 6, 7, 10-14, 17 and 24-26 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Filsinger (DE 0013409C1)* in view of *Dublinski (5071,338)* and further in view of *Forster (5897739)*. Applicant respectfully traverses these rejections as there is absolutely no teaching, suggestion, or motivation to modify *Palmer* in view of *Dublinski* and *Forster* as proposed. The *Filsinger* combination suffers the fatal defect of the *Palmer* combination discussed above. Notably, the *Filsinger* membrane 7 is described as a gas-permeable membrane. {See paragraph [0027]} To substitute a fiber reinforced fluoroclastic sheet rubber material for the gas permeable membrane #7 (and/or for the peel ply #13) would also prevent a vacuum and render *Filsinger* inoperable. The claims are properly allowable.

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Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a teleconference will facilitate moving this case forward to being issued, Applicant's representative can be contacted at the number indicated below.

Respectfully Submitted,  
**CARLSON, GASKEY & OLDS, P.C.**

  
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